

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE 650 FIFTH AVENUE AND :
RELATED PROPERTIES :
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ELECTRONICALLY FILED
DOC #:
DATE FILED: **AUG 29 2013**

08 Civ. 10934 (KBF)
and all member and
related cases

ORDER

KATHERINE B. FORREST, District Judge:

As stated at the teleconference held on August 28, 2013, it is hereby

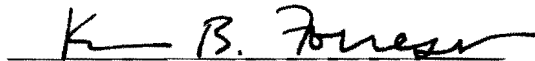
ORDERED:

1. Trial in the in rem forfeiture action shall be by jury; the FSIA / TRIA action shall be tried simultaneously to the bench.
2. The Court expects the Government and the private judgment creditors to coordinate their trial presentations very closely. The presentation of the in rem forfeiture action shall lead. All direct testimony and documentary evidence that overlap between the forfeiture action and the TRIA / FSIA action shall occur during the Government's examination in the forfeiture action. The judgment creditors shall conduct separate examination only as to those matters that are relevant to the TRIA / FSIA action only, and those examinations shall occur outside the presence of the jury. This may require witnesses to remain available longer than they otherwise would need to be (and they should be forewarned accordingly).

3. Not later than September 16, 2013, at 9:00 a.m., the parties shall submit a written witness list that sets forth time allocation by the examining parties for each witness in the forfeiture action. (The list shall note for each witness whether the parties expect separate testimony to be required in the TRIA / FSIA action.) The list shall allocate time in a manner that accomplishes the conclusion of witness testimony not later than Tuesday, October 8, 2013 (i.e., closings shall occur not later than Wednesday, October 9); the list should not assume that any witness testimony shall occur on Fridays.

SO ORDERED.

Dated: New York, New York
August 29, 2013


KATHERINE B. FORREST
United States District Judge